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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on August 22, 2005 to the above-identified facsimile number.

Bridget Murray (Signature)

FROM: Bridget Murray (Typed or printed name of person signing Certificate)**Fax No. 513-626-1355****Phone No. 513-626-0575****Applicant Information:****Applicants: Gruenbacher et al.****Serial No.: 10/089,351****Filing Date: 03/27/2002****Conf. No.: 1392****Docket No.: 8278****Listed below are the item(s) being submitted with this Certificate of Transmission:****

1. Response to Notice of Non-Compliant Amendment (5 pages);
2. Copy of Notice of Non-Compliant Amendment;

Number of pages, including this page: 8

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AUG 22 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: : 10/089,351
Applicants : Dana Paul Gruenbacher, et al.
Filed : 03/27/2002
Title : A SEMI-ENCLOSED APPLICATOR HAVING
A TEMPERATURE CHANGING ELEMENT
TC/A.U. : 3751
Examiner : Kathleen J. Prunner
Conf. No. : 1392
Docket No. : 8278
Customer No. : 27752

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**UNDER 37 CFR §1.121**

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY REMARKS

This is responsive to the Notice of Non-Compliant Amendment dated August 3, 2005 (copy attached). Please consider the following corrected section of the non-compliant amendment document.

Please amend the above-identified application as follows:

Amendments to the Claims begin on page 2 of this paper.